

Message Text

CONFIDENTIAL

PAGE 01 STATE 078877

72

ORIGIN DLOS-06

INFO OCT-01 ISO-00 /007 R

66602

DRAFTED BY: D/LOS:ESKIN

APPROVED BY: D/LOS:MR. MCINTYRE

----- 109830

R 181730Z APR 74

FM SECSTATE WASHDC

TO AMEMBASSY SAIGON

C O N F I D E N T I A L STATE 078877

FOLLOWING SENT ACTION SECSTATE, INFO ADDIS ABABA, CARACAS,
DAR ES SALAAM, LONDON, MADRID, MANAGUA, YAOUNDE, USUN, APRIL
9, FROM NAIROBI RPTD TO YOU:

QUOTE C O N F I D E N T I A L NAIROBI 2966

DEPT. PASS OTHER POSTS AS APPROPRIATE

E.O. 11652: GDS

TAGS: PBOR

SUBJECT: LOS: GROUP OF 77 MEETING, NAIROBI, MARCH 25 - APRIL 5:
FINAL REPORT

REF: NAIROBI 2692

SUMMARY: GROUP OF 77 CONCLUDED THEIR LOS MEETING APRIL 5
WITHOUT BEING ABLE AGREE TO ANY STATEMENT OF COMMON PRINCIPLES.
MAJOR STUMBLING BLOCK WAS HEATED DISAGREEMENT BETWEEN LANDLOCKED
AND COASTAL STATES, BUT MEDIAN LINE ISSUE AND DELIMITATION OF
ARCHIPELAGOES ALSO CONTENTIOUS ISSUES. INNOCENT PASSAGE THROUGH
TERRITORIAL SEAS, INCLUDING INTERNATIONAL STRAITS, BROADLY
SUPPORTED, BUT WITH ADDED PROVISIO OF QTE OBJECTIVE CRITERIA
UNQTE TO BE NEGOTIATED AT CARACAS. JAMAICA OFFERED TO HOST
HEADQUARTERS OF PROPOSED INTERNATIONAL AUTHORITY. EMBASSY
POUCHING DEPT. AND USUN COPIES OF WORKING PAPERS, LISTS OF
DELEGATES FOR NAIROBI GROUP OF 77 AND KAMPALA LANDLOCKED
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 078877

MEETINGS AND TEXT KAMPALA DECLARATION. END SUMMARY.

1. DESPITE TWO WEEKS OF INTENSIVE WORK, INCLUDING EFFORTS BY TWO SUCCESSIVE COMMITTEES, DELEGATES FROM 76 MEMBER COUNTRIES OF GROUP OF 77 CONCLUDED THEIR LOS MEETING APRIL 5 WITHOUT BEING ABLE TO ISSUE ANY STATEMENT OF COMMON PRINCIPLES. MAJOR STUMBLING BLOCK WAS HEATED DISAGREEMENT BETWEEN LANDLOCKED STATES, WHICH UNITED BEHIND QTE KAMPALA DECLARATION UNQTE INSISTENCE THAT ACCESS TO SEA AND ITS RESOURCES WAS THEIR QTE RIGHT UNQTE UNDER INTERNATIONAL LAW, AND COASTAL STATES, WHICH WERE PREPARED ONLY TO RECOGNIZE NEED TO NEGOTIATE ARRANGEMENTS THAT WOULD INCLUDE BENEFITS FOR LANDLOCKED. AS RESULT, IMPASSE DEVELOPED OVER THOSE SECTIONS DEALING WITH LANDLOCKED STATES' ACCESS TO SEA AND ITS RESOURCES, INCLUDING SECTIONS DESCRIBING PROPOSED ECONOMIC ZONE.

2. STRONG DISAGREEMENT ALSO AROSE OVER MEDIAN LINE QUESTION, WITH CYPRUS (ACTING ALSO ON BEHALF GREECE) FAVORING MEDIAN LINE AND TURKEY, TUNISIA AND VENEZUELA OPPOSING. TUNISIA MAINTAINED THAT CASES OF OVERLAPPING TERRITORIAL LIMITS SHOULD BE RESOLVED BY BILATERAL AGREEMENTS RATHER THAN BY MEDIAN LINE PRINCIPLE.

3. SOME DISPUTE ALSO AROSE OVER DELIMITATION OF ARCHIPELAGOES, WITH INDONESIA AND PHILIPPINES BACKING BROAD CONCEPT INCLUDED IN DRAFT WORKING PAPER AND VIETNAM, KHMER REPUBLIC, SINGAPORE, THAILAND AND MALAYSIA OPPOSING. SECITON REJECTED WHEN INDIA THREW ITS WEIGHT ON SIDE OF OPPOSITION. AS INDICATED BY ABOVE, GROUPINGS FORMED MORE ON BASIS OF ISSUES THAN ALONG GEOGRAPHIC LINES.

4. ACCORDING EMBASSY SOURCES, THERE WAS GENERAL CONSENSUS IN FAVOR OF INNOCENT PASSAGE THROUGH TERRITORIAL SEAS, INCLUDING STRAITS USED FOR INTERNATIONAL NAVIGATION, BUT WITH ADDED PROVISIO THAT QTE REGIME OF PASSAGE THROUGH SUCH STRAITS SHALL BE ESTABLISHED IN ACCORDANCE WITH OBJECTIVE CRITERIA UNQTE WHICH ARE TO BE NEGOTIATED AT CARACAS. STATEMENTS ON NEED TO PRESERVE MARINE ENVIRONMENT AND TO PROMOTE SCIENTIFIC RESEARCH AND TRANSFER OF TECHNOLOGY ALSO BROADLY SUPPORTED, ALTHOUGH DRAFT WORKING PAPERS INCLUDED REQUIREMENT OF COASTAL STATE CONSENT FOR RESEARCH WITHIN AREA OF ITS NATIONAL JURIS-
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 078877

DICTION.

5. WHILE THERE WAS BROAD SUPPORT FOR CONCEPT OF DEEP SEABED RESOURCES BEING COMMON HERITAGE OF MANKIND, SECTION IN DRAFT WORKING PAPER ON INTERNATIONAL AUTHORITY EMPOWERED TO EXPLORE AND EXPLOIT THESE RESOURCES WAS REPORTEDLY REJECTED BY LANDLOCKED BECAUSE IT DID NOT ADEQUATELY SPELL OUT THEIR RIGHTS. INTERESTING DEVELOPMENT THIS REGARD WAS JAMAICA'S

OFFER TO HOST HEADQUARTERS OF INTERNATIONAL AUTHORITY, AN OFFER WHICH WAS QTE NOTED WITH APPRECIATION UNQTE BUT WITHOUT COMMITMENT.

6. IN EFFORT NARROW DIFFERENCES APPARENT WORKING DRAFT PREPARED IN ADVANCE IN NEW YORK (COPIES POUCHED DEPT. AND USUN MARCH 29), GROUP OF 77 DELEGATES APPOINTED AN AD HOC COMMITTEE OF TEN (ARGENTINA, BANGLADESH, BRAZIL, INDIA, KENYA, MEXICO, PAKISTAN, PERU, SENEGAL AND VENEZUELA) TO REDRAFT WORKING PAPER. IT WAS THIS DRAFT (BEING POUCHED APRIL 9) THAT IN TURN RAN INTO DIFFICULTIES CITED ABOVE. IN EFFORT RESOLVE IMPASSE, YET ANOTHER COMMITTEE FORMED (AFGHANISTAN, BOLIVIA, COLUMBIA, FIJI, INDIA, KENYA, NEPAL, PERU, SENEGAL, TANZANIA, TUNISIA, UGANDA AND VENEZUELA) WITH HEAVY LAND-LOCKED REPRESENTATION, BUT ITS EFFORTS APPARENTLY NEVER GOT OFF THE GROUND. AS RESULT, MEETING ENDED WITHOUT ANY APPROVED DOCUMENT. PROCEDURE NOW IS FOR WORKING GROUP CHAIRMAN NJENGA TO PREPARE FINAL REPORT ON MEETING AND CIRCULATE IT TO PARTICIPANTS FOR INFORMATION AND COMMENT. PROCESS OF QTE CONSULTATION UNQTE WILL CONTINUE DURING FIRST WEEK OF CARACAS LOS MEETING. EMBASSY WILL ENDEAVOUR OBTAIN COPY NJENGA'S REPORT AND FORWARD IT TO DEPT. AND USUN AS SOON AS POSSIBLE.

7. KENYA, AS HOST STATE, REPORTEDLY PLAYED NEUTRAL BROKER ROLE IN PROCEEDINGS. NJENGA WAS ACTIVE AS WORKING GROUP CHAIRMAN OF PLENARY, SELDOM IN EVIDENCE. PLENARY VICE-CHAIRMEN WERE COLUMBIA'S AMBASSADOR ZULETA FROM NEW YORK AND IRAN'S AMBODNTTY KAZEMI BASED HERE IN NAIROBI. MARSHALL UNQUOTE. KISSINGER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, LANDLOCKED COUNTRIES, MEETING PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 APR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE078877
Document Source: CORE
Document Unique ID: 00
Drafter: D/LOS:ESKIN
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740091-0109
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740432/aaaabcmp.tel
Line Count: 145
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: NAIROBI 2692
Review Action: RELEASED, APPROVED
Review Authority: GarlanWA
Review Comment: n/a
Review Content Flags:
Review Date: 12 JUN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 JUN 2002 by kelleyw0>; APPROVED <27 MAR 2003 by GarlanWA>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: GROUP OF 77 MEETING, NAIROBI, MARCH 25 - APRIL 5: FINAL REPORT
TAGS: PBOR, VS
To: SAIGON
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005